

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.:

RONALD CHIURRI,
Plaintiff,

v.

AMERICAN HONDA MOTOR CO., INC.
Defendant.

MAGISTRATE JUDGE Cole

04 - 11974 NG

RECEIPT # 58684
AMOUNT \$ 150
SUMMONS ISSUED yes
LOCAL RULE 4.1 1
WAIVER FORM 1
MCF ISSUED 1
BY DPTY. CLK. Foley

NOTICE OF REMOVAL

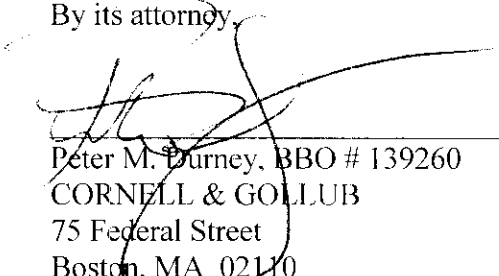
Pursuant to 28 U.S.C. §1441, the defendant, American Honda Motor Co., Inc. notices the
removal of the above-referenced matter on the following grounds:

1. Plaintiff, Ronald Chiurri, claimed resident of Massachusetts, has filed a complaint in the Superior Court of the Commonwealth of Massachusetts in Norfolk County, and served a summons on American Honda Motor Co., Inc.. Copies of the summons and complaint are attached hereto as Exhibit A. No other process, pleadings or orders have been served on American Honda Motor Co., Inc. Discovery was served with the Summons and Complaint, but is untimely as the parties have not yet conferred pursuant to Fed. R. Civ. P. 26(f).
2. American Honda Motor Co., Inc. first received the summons and complaint on or about August 24, 2004.
3. American Honda Motor Co., Inc. is a foreign corporation with a principal place of business in California.

4. Removal is authorized by 28 U.S.C. §1441 and is based upon the United States District Court's original jurisdiction of the case pursuant to 28 U.S.C. §1332 because there is diversity of citizenship between the plaintiff and the defendant; the defendant is not a citizen of Massachusetts; and the amount in controversy exceeds \$75,000.
5. Pursuant to 28 U.S.C. §1446, a copy of this Notice of Removal will be filed with the Clerk of the Superior Court in Norfolk County, and a copy will be served on the plaintiff. A copy of the cover letter to said clerk, which was copied to plaintiff's counsel, is attached as Exhibit B.
6. American Honda Motor Co., Inc. hereby reserves all rights and defenses, and waives none by virtue of this removal.

WHEREFORE, defendant American Honda Motor Co., Inc. respectfully removes this action from the Massachusetts Superior Court in Norfolk County to this Court.

Defendant,
American Honda Motor Co., Inc.
By its attorney

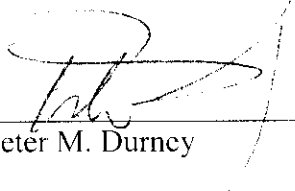


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CERTIFICATE OF SERVICE

I, Peter M. Durney, attorney for the defendant, American Honda Motor Co., Inc., hereby certify that on the 16th day of September, 2004, a true copy of the foregoing Notice of Removal was served by mail, postage prepaid, directed to:

Kenneth M. Knee, Esq.
Law Offices of Kenneth M. Knee
55 Union Street
Boston, MA 02110



Peter M. Durney